

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

D.V.D.; M.M.; E.F.D.; and O.C.G.,

Plaintiffs,

v.

Civil Action No. 25-cv-10676-BEM

U.S. DEPARTMENT OF HOMELAND SECURITY;
Kristi NOEM, Secretary, U.S. Department of
Homeland Security, in her official capacity; Pamela
BONDI, U.S. Attorney General, in her official
capacity; and Antone MONIZ, Superintendent,
Plymouth County Correctional Facility, in his official
capacity,

Defendants.

**PLAINTIFFS’ NOTICE OF AUTHORITY IN SUPPORT OF THEIR OPPOSITION TO
DEFENDANTS’ MOTION TO STAY PROCEEDINGS**

Plaintiffs bring to the Court’s attention the October 20, 2025, order of the U.S. Court of Appeals for the First Circuit in the preliminary injunction appeal in this case in support of their pending opposition to Defendants’ motion to stay proceedings. Exhibit A.

In that order, the First Circuit denied Plaintiffs’ motion to remand the pending appeal to this Court to dissolve the preliminary injunction. Plaintiffs’ appeal brief is now due November 19, 2025. Citing *Contour Design, Inc. v. Chance Mold Steel Co.*, 649 F.3d 31, 34 (1st Cir. 2011), the First Circuit added that “as a general matter” district courts may move the case forward while the appeal is pending and, “if appropriate, ‘order permanent relief after the merits are resolved.’” *Id.* In the wake of the First Circuit’s order, Plaintiffs renew their opposition to Defendants’ motion to stay proceedings and request that the Court deny said motion and order Defendants to respond to the Complaint and Plaintiffs’ Motion for Partial Summary Judgment.

Respectfully submitted,

s/ Trina Realmuto

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October 23, 2025